

MAR 16 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

JULIA C. DUDLEY, CLERK
BY: *J. Turk*
DEPUTY CLERK

CATHY STATLER,)	
)	Civil Action No. 7:09-cv-00387
<i>Plaintiff,</i>)	
)	
v.)	<u>Order</u>
)	
SECRETARY OF THE)	
DEPARTMENT OF HEALTH)	
AND HUMAN SERVICES,)	By: James C. Turk
)	Senior United States District Judge
<i>Defendant.</i>)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that Plaintiff's motion to set aside the final agency action (Dkt. 19) is **DENIED**, and the Defendant's cross motion for summary judgment (Dkt. 20) is **GRANTED**.

The Clerk of Court is directed to strike the case from the Court's active docket. The Clerk is further directed to send a copy of this Order and accompanying Memorandum Opinion to counsel of record for both parties.

ENTER: This 16th day of March, 2011.

James C. Turk
Hon. James C. Turk
Senior United States District Judge